

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 93-628-T - ORDER NO. 94-971 ✓
SEPTEMBER 23, 1994

IN RE: Proposal to Amend) ORDER ADDRESSING
Liability Insurance) LIABILITY LIMITS
) FOR MOTOR CARRIERS
) OF FREIGHT

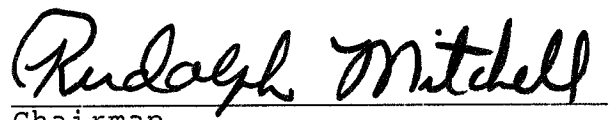
This matter is before the Public Service Commission of South Carolina (the Commission) on the September 14, 1994, letter of Canal Insurance Company (Canal) which requests the Commission amend its decision of September 13, 1994. At its regularly scheduled and properly noticed public meeting on September 13, 1994, the Commission reinstated, effective thirty (30) days from the date of its Order, the increased liability limits for freight motor carriers which had become effective on June 24, 1994.¹ See Appendix A. Canal now asks the Commission to "[m]ake the new limit requirements effective for all new or renewal policies as of a future date sufficiently distant for truckers to budget for the increase in premium." In addition, Canal asks the Commission to "[c]onsider all motor carriers with current filings at the lower limits to be in compliance with the understanding these limits are to be increased upon renewal."

1. By Order dated August 31, 1994, the Commission had waived a portion of the increased liability limits.

The Commission has thoroughly considered Canal's requests. As far as new insurance policies are concerned, the Commission concludes that its September 13, 1994, decision reinstating the June 24, 1994, liability limits for motor carriers of freight is appropriate. Consequently, for all new policies, the June 24, 1994, liability limits shall be effective thirty (30) days from the date of this Order, or on October 24, 1994. This thirty (30) day period of time provides adequate notice to both motor carriers and insurance companies of the increased liability limits. As far as renewal insurance policies are concerned, the Commission concludes that thirty (30) days from the date of this Order, or October 24, 1994, the increased liability limits of June 24, 1994, will be effective upon the renewal of a policy. However, all insurance policies must reflect the increased liability limits ninety (90) days after October 24, 1994.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

Regulation 103-172. Schedule of Minimum Limits.

Insurance policies and surety bonds for bodily injury and property damage will have limits of liability not less than the following:

MOTOR CARRIERS KIND
OF EQUIPMENT & CAPACITY

LIABILITY LIMITS

FREIGHT (All motor vehicles used in the transportation of property.)

1. 10,000 or more pounds GVWR.

- | | | |
|----|---------------|-------------------------|
| a. | NON-HAZARDOUS | \$ 750,000 per incident |
| b. | HAZARDOUS | \$5,000,000 |

(Hazardous substances, as defined in 49 CFR 171.8; Class A or B explosives; liquefied compressed gas or compressed gas; or highway route controlled radioactive materials as defined in 49 CFR 171.455.)

- | | | |
|----|-----------|--------------------------|
| c. | HAZARDOUS | \$1,000,000 per incident |
|----|-----------|--------------------------|

(Oil listed in 49 CFR 171.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.101 but not mentioned in 1.(b) or 2.(b).)

2. LESS THAN 10,000 POUNDS GVWR.

- | | | |
|----|---------------|--------------------------|
| a. | NON-HAZARDOUS | \$ 300,000 per incident |
| b. | HAZARDOUS | \$5,000,000 per incident |

(Any quantity of Class A or B explosives; or highway route controlled quantity radioactive materials as defined in 49 CFR 173.455.)